

TRANSLATION**PATENT COOPERATION TREATY****PCT****INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference A 9648/04R.	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/DE2004/001262	International filing date (day/month/year) 17.06.2004	Priority date (day/month/year) 23.06.2003
International Patent Classification (IPC) or national classification and IPC G03F7/00, B29C67/00		
Applicant DREVE OTOPLASTIK GMBH		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4.	This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input checked="" type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-23 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-2 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/2-2/2 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-2	YES
	Claims		NO
Inventive step (IS)	Claims	1-2	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-2	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<p>1 The claims relate to a low-viscosity (viscosity data are contained in the claims), free-radical photo-polymerizable composition. As worded at present, the claims are not restricted to stereolithography and biocompatibility and usability in medical technology (for example for ear pieces).</p>			
<p>2 The present report refers to the following documents:</p>			
<p>D1: WO 03/029365 A (SCHMIDT KRIS ALAN; DOAN VU A (US); XU PINGYONG (US); 3D SYSTEMS INC () 10 April 2003 (2003-04-10)</p>			
<p>D2: EP 0 425 441 A (CIBA GEIGY AG) 2 May 1991 (1991-05-02)</p>			
<p>D3: EP 0 822 445 B (CIBA GEIGY AG) 22 March 2000 (2000-03-22)</p>			
<p>D4: EP 1 245 369 A (3D SYSTEMS INC) 2 October 2002 (2002-10-02).</p>			
<p>3 Document D4 (see in particular the passages cited in the international search report) describes a method wherein finished moulded parts, which can be produced by</p>			

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

stereolithography and used in medical technology, are made biocompatible, and therefore also solves the essential problem to be solved by the application. However, document D4 does not contain detailed information on the composition of the mixtures to be used for producing the moulded parts and therefore cannot be prejudicial to the novelty of claims 1 and 2.

4 According to claim 1 only components a), c), e) and f) are obligatory.

Documents D1 to D3 (see in particular the passages cited in the international search report) describe low-viscosity, photo-polymerizable compositions which can contain the components a), c) and e) according to claim 1 and a standard inhibitor; although tetramethylpiperidine-1-yloxy is not explicitly mentioned, it must be considered a standard inhibitor. Since the quantitative composition and the viscosity values specified are not found in documents D1 and D3 in the specified combination, claim 1 and dependent claim 2 are also novel over these documents.

5 Since a combination of documents D1 to D3 would also not prompt a person skilled in the art to combine the viscosity values and the quantitative composition, and document D4 does not suggest a selection of particular components, claims 1 and 2 also involve an inventive step.

6 Industrial applicability is clearly established.

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Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No.
Patent No.

Publication date
(day/month/year)

Filing date
(day/month/year)

Priority date (valid claim)
(day/month/year)

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure

Date of non-written disclosure
(day/month/year)

Date of written disclosure
referring to non-written disclosure
(day/month/year)